

MAY 17 2006



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To: Examiner Y. Retta
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Message:

PLEASE NOTE: Correction to the Application No. - it should be:

Appl. No. 09/682,876
Applicant: Mark Duchow
Filed: October 21, 2001
For: System and Method For Providing Electronic Vouchers
Attorney Docket: 670715.90029

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May 17, 2006 Michael J. McGovern
Atorney of Record

PATENT

Dkt No. 670715.90029

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

Applicant: Mark Duchow

Art Unit: 3622

Appl. No.: 09/682,876

Examiner: Y. Retta

Filed: October 21, 2001

For: SYSTEM AND METHOD FOR PROVIDING ELECTRONIC VOUCHERS

REQUEST FOR INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Applicant has contacted the Examiner and the Examiner's supervisor, Mr. Stamber, regarding the status of this application after appeal.

The undersigned has called to the Examiners' attention that this application is subject to a grant of a petition to make special that applies to all matters through issuance (copy attached.)

The undersigned requests an Interview with the Examiner in the event that any action other than a Notice of Allowance is anticipated, for the purpose of resolving any formal requirements.

Respectfully submitted,

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Howrey Simon Arnold & White, LLP
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In re application of : **DECISION ON PETITION**
Mark Duchow : **TO MAKE SPECIAL**
Application No. 09/682,876 : **(INFRINGEMENT)**
Filed: October 26, 2001
For: SYSTEM AND METHOD FOR PROVIDING
ELECTRONIC VOUCHERS

This is a decision on the petition under 37 C.F.R § 1.102(d) filed August 12, 2002 to make the above-identified application special.

The petition requests that the above-identified application be made special under the procedure set forth in M.P.E.P. § 708.02, item II: Infringement.

MPEP 708.02 states that a Petition to Make Special based on Infringement must have the following: (1) the appropriate petition fee under 37 CFR 1.17(i); (2) a statement by the assignee, applicant, or attorney alleging: (A) that there is an infringing device or product actually on the market; (B) that a rigid comparison of the alleged infringing device or product with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and (C) that he or she has made a careful and thorough search of the prior art, or has good knowledge of the prior art, and has sent a copy of the references deemed most closely related to the subject matter encompassed by the claims.

The petition filed August 12, 2002 includes all of the requirements above and, therefore, the petition is **GRANTED**.

The examiner is directed (1) to make an interference search for possible interfering applications; (2) to promptly examine this application out of turn; and (3) if any interfering application is discovered, to examine such application simultaneously and state in the first official letter of such application that it is being taken out of turn because of a possible interference.

Petitioner is advised that this application will continue to be special, throughout its entire prosecution and pendency, including interference and appeal, if any, only if petitioner makes a prompt *bona fide* effort, in response to each Office action, to place the application in condition for allowance, even if it is necessary to conduct an interview with the examiner to accomplish this purpose.

Kenneth J. Dorner
Kenneth J. Dorner
Special Programs Examiner
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(703) 308-0866

kjd: 9/1/02